



General Assembly

February Session, 2010

Amendment

LCO No. 3094

SB0017203094SR0

Offered by:

SEN. MCKINNEY, 28th Dist.

SEN. FASANO, 34th Dist.

SEN. RORABACK, 30th Dist.

SEN. DEBICELLA, 21st Dist.

To: Subst. Senate Bill No. 172

File No. 126

Cal. No. 110

**"AN ACT MANDATING HOME HEALTH AGENCIES PROVIDE PAID
SICK LEAVE TO EMPLOYEES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 4-168 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July*
5 *1, 2010*)

6 (a) Except as provided in subsection (g) of this section, an agency,
7 prior to adopting a proposed regulation, shall: (1) Give at least thirty
8 days' notice by publication in the Connecticut Law Journal of its
9 intended action. The notice shall include (A) either a statement of the
10 terms or of the substance of the proposed regulation or a description
11 sufficiently detailed so as to apprise persons likely to be affected of the
12 issues and subjects involved in the proposed regulation, (B) a

13 statement of the purposes for which the regulation is proposed, (C) a
14 reference to the statutory authority for the proposed regulation, (D)
15 when, where and how interested persons may obtain a copy of the
16 small business impact and regulatory flexibility analyses required
17 pursuant to section 4-168a, and (E) when, where and how interested
18 persons may present their views on the proposed regulation; (2) give
19 notice by mail to each joint standing committee of the General
20 Assembly having cognizance of the subject matter of the proposed
21 regulation; (3) give notice by mail to all persons who have made
22 requests to the agency for advance notice of its regulation-making
23 proceedings. The agency may charge a reasonable fee for such notice
24 based on the estimated cost of providing the service; (4) provide a copy
25 of the proposed regulation to persons requesting it. The agency may
26 charge a reasonable fee for copies in accordance with the provisions of
27 section 1-212; (5) no later than the date of publication of the notice in
28 the Connecticut Law Journal, prepare a fiscal note, including an
29 estimate of the cost or of the revenue impact (A) on the state or any
30 municipality of the state, and (B) on small businesses in the state,
31 including an estimate of the number of small businesses subject to the
32 proposed regulation and the projected costs, including but not limited
33 to, reporting, recordkeeping and administrative, associated with
34 compliance with the proposed regulation and, if applicable, the
35 regulatory flexibility analysis prepared under section 4-168a. The
36 governing body of any municipality, if requested, shall provide the
37 agency, within twenty working days, with any information that may
38 be necessary for analysis in preparation of such fiscal note; (6) afford
39 all interested persons reasonable opportunity to submit data, views or
40 arguments, orally at a hearing granted under subdivision (7) of this
41 subsection or in writing, and to inspect and copy the fiscal note
42 prepared pursuant to subdivision (5) of this subsection; (7) grant an
43 opportunity to present oral argument if requested by fifteen persons,
44 by a governmental subdivision or agency or by an association having
45 not less than fifteen members, if notice of the request is received by the
46 agency within fourteen days after the date of publication of the notice;
47 [and] (8) prepare a quantitative and qualitative assessment of the

48 regulation's costs and benefits and its impact on economic activity in
49 the state or business in the state and submit such assessment to the
50 Department of Economic and Community Development for review;
51 and (9) consider fully all written and oral submissions respecting the
52 proposed regulation and revise the fiscal note in accordance with the
53 provisions of subdivision (5) of this subsection to indicate any changes
54 made in the proposed regulation. No regulation shall be found invalid
55 due to the failure of an agency to give notice to each committee of
56 cognizance pursuant to subdivision (2) of this subsection, provided
57 one such committee has been so notified.

58 Sec. 502. Subsection (c) of section 4-170 of the general statutes is
59 repealed and the following is substituted in lieu thereof (*Effective July*
60 *1, 2010*)

61 (c) The committee shall review all proposed regulations and, in its
62 discretion, may hold public hearings thereon, and may approve,
63 disapprove or reject without prejudice, in whole or in part, any such
64 regulation, provided the quantitative and qualitative assessment
65 prepared pursuant to subsection (a) of section 4-168, as amended by
66 this act, does not indicate the cost of the impact of such regulation on
67 economic activity is greater than the benefit. The committee shall only
68 approve, disapprove or reject without prejudice, in whole or in part,
69 any such regulation deemed to have a greater cost than benefit on
70 economic activity by a three-fifths majority vote. If the committee fails
71 to so approve, disapprove or reject without prejudice a proposed
72 regulation, within sixty-five days after the date of submission as
73 provided in subsection (b) of this section, the committee shall be
74 deemed to have approved the proposed regulation for purposes of this
75 section.

76 Sec. 503. (NEW) (*Effective July 1, 2010*) (a) Upon receipt of an
77 agency's qualitative and quantitative assessment of a regulation's costs
78 and benefits and its impact on economic activity in the state or
79 business in the state pursuant to subsection (a) of section 4-168 of the
80 general statutes, as amended by this act, the Commissioner of

81 Economic and Community Development, in consultation with the
82 agency, shall review such assessment and determine whether the
83 proposed regulation would have a greater cost than benefit on
84 economic activity in the state or business in the state.

85 (b) Any determination made by the commissioner pursuant to
86 subsection (a) of this section shall be in writing and shall be submitted
87 to the standing legislative regulation review committee not later than
88 ten calendar days after the date the regulation is deemed to have been
89 submitted to the Secretary of the State, as described in subsection (b) of
90 section 4-170 of the general statutes."